

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339**

## OFFICIAL NOTIFICATION OF DECISION

May 13, 2016

Sunport Park Hospitality, LLD  
ATTN: Yogash Kumar  
3304 W. Highway 66  
Gallup, NM 87301

**Project# 1007017**  
16EPC-40016 Site Development Plan for Building Permit  
16EPC-40017 Zone Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

The above actions for all or a portion of Lot 2-A-2, block 2 of Sunport Park, zoned IP to SU-1 for IP uses, located on 1401 Woodward Rd., between Transport St. and University, containing approximately 2.03 acres (M-15)  
Staff Planner: Maggie Gould

On May 12, 2016 the Environmental Planning Commission (EPC) voted to DEFER Project #1007017/16EPC-40016, a Site Development Plan for Building Permit and 16EPC-40017 Zone Map Amendment (Zone Change), based on the following findings:

1. The case is deferred to the June 9<sup>th</sup> hearing to address errors on the site plan and in the justification letter and to provide additional justification for the SU-1 zone.

New Mexico 87103

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **MAY 27, 2016**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

**ZONE MAP AMENDMENTS:** Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the

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Project #1007017

May 12, 2016

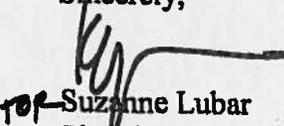
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zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

**SITE DEVELOPMENT PLANS:** Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

**DEFERRAL FEES:** Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely, ~

  
Suzanne Lubar  
Planning Director

SL/MG

cc: Sunport Park Hospitality, LLC, Yogash Kumar, 3304 W. Highway 66, Gallup, NM 87301  
Jim Medley, Architect, Nicholas Eveleigh, 3100 Christine St. NE, ABQ, NM 87111